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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/747,495	SCOTT, JOHAN	
	Examiner	Art Unit	
	Blaine Basom	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-49* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20 and 23-49* is/are rejected.

7)☒ Claim(s) *21 and 22* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *21 December 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *5 and 7* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Claim Objections

Claims 25, 46, and 47 are objected to because of the following informalities: In claim 25, the phrase "when the focus is moved thereto execute procedure to configure a plurality of spaced nodes" is grammatically incorrect. In claim 46, the phrase "to make said computer execute procedure" is grammatically incorrect. Lastly in claim 47, the phrase "computer code to make data processing apparatus provide signals" is grammatically incorrect. Appropriate correction is required.

Claims 7-10 and 43-45 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The claims are written in the form of a preamble made to depend on another claim. The stated preamble is not given patentable weight as it fails to breathe life, meaning, and vitality into the claims. As such, the claims fail to further limit the subject matter of the claim(s) upon which they depend. See MPEP §§ 608.01(n) and 2111.02..

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4, 19-22, 33-35, 39, 46-49 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 4, there is no antecedent basis for the "display device." In claim 19, there is no antecedent basis for "said median coordinate value." Claims 20-22 depend on rejected claim 19 and include all of the limitations of rejected claim 19, thereby rendering these dependent claims indefinite. In claim 33, there is no antecedent basis for "the irregularly space, functional display regions." Claims 34-35 depend on rejected claim 33 and include all of the limitations of rejected claim 33, thereby rendering these dependent claims indefinite. In claim 39, there is no antecedent basis for "the user operable navigation control." In claims 46 and 47, there is no antecedent basis for the irregularly spaced functional display regions," which is recited in each of these claims. Claims 48-49 depend on rejected claim 47 and include all of the limitations of rejected claim 47, thereby rendering these dependent claims indefinite.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 10-18, 23-26, 28-42, and 45-48 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,510,811, which is attributed to Tobey et al. (and hereafter referred to as "Tobey"). In general, Tobey presents an apparatus and method whereby a hand-held controller, like that used for a television, is used to navigate a cursor about a computer display (see column 2, line 42 – column 3, line 7). Tobey discloses that this cursor is thus used to select "hotspots," which are display regions representative of computer functions (see column 2, lines 47-56). Consequently, it is understood that Tobey teaches a generating device configured to generate signals for a graphical display in which a focus, specifically a cursor, can be navigated between spaced, functional display regions such that they are individually selected when the focus is moved thereto.

With respect to claim 1, Tobey describes a "Random Roam mode," whereby a user uses the above-described hand-held controller to cause the cursor to move in one of four possible directions in a "uniform incremental manner" (see column 7, lines 3-25). The user may specifically move the cursor up, down, left, or right, as defined by a Cartesian coordinate system (see column 2, lines 59-65). Consequently, it is understood that from a given point on the display, and in response to the actuation of a direction on a "four direction control button" on the

hand-held controller, the cursor moves a set distance up, down, left, or right to a new point on the screen. From this new point, the user may again move the cursor a set distance up, down, left, or right to another point on the screen by actuating the direction on the four direction control button. Such user input is repeated to position a cursor on a hot spot. Thus the user moves the cursor in incremental step movements about the screen in order to position the cursor on hotspots and consequently select computer functions. Specifically regarding the claimed invention, it is therefore understood that these incremental step movements are defined by a Cartesian coordinate system of intersecting vertical and horizontal lines, the distance between each of the horizontal and each of the vertical lines being the above-described set distance. Moreover, it is understood that the intersection of these vertical and horizontal lines define the possible screen positions of the cursor. These possible screen positions are consequently considered "nodes," like those recited in claim 1. Tobey thus teaches a plurality of spaced nodes configured so that the cursor makes a step movement from one node to another thereof in response to user actuation, the nodes being arranged in a mesh at the intersections of a first set of spaced lines extending in a horizontal direction and a second set of spaced lines extending in a vertical direction, the functional regions, i.e. hotspots, being irregularly disposed in the display and at least one of the nodes being disposed at each of the regions respectively.

Regarding claim 2, the above-described hand-held controller includes a four direction control button, which allows the user to move the cursor in four possible directions: up, down, left, and right (see column 2, lines 59-65). As described above, the cursor moves to a set node as defined by a Cartesian coordinate system of intersecting vertical and horizontal lines, i.e. a "mesh." The hand-held controller disclosed by Tobey is thus considered a user operable

navigation control device, which provides actuation to move a focus from one node to another in a mesh, the navigation device including a first control to move the focus in a first predetermined direction and a second control to move the focus in a second predetermined direction. Specifically, these first and second controls are comprised in the four direction control button.

In reference to claim 16, Tobey teaches a method of navigating a focus between spaced hotspots in a device, wherein as shown above, this device is of the type configured to generate signals for a graphical display in which a cursor can be navigated between hotspots such that they are individually selected when the cursor is moved thereto, with a plurality of spaced nodes configured so that the cursor makes a step movement from one node to another thereof in response to user actuation, the nodes being arranged in a mesh at the intersections of a first set of spaced lines extending in a horizontal direction and a second set of spaced lines extending in a vertical directions, the hotspots being irregularly disposed in the display and at least one of the nodes being disposed at each of the hotspots respectively, the device including a user operable hand-held controller to provide the user actuation to move the cursor from one node to another in the mesh, and the hand-held controller including a first control to move the focus in a horizontal direction and a second control to move the focus in a vertical direction. Moreover, Tobey teaches inputting into this hand-held controller a movement command corresponding to movement along the horizontal direction (see column 2, lines 57-65), whereby in response, it is interpreted that the cursor steps from a first node to a second node displaced from the first node along the horizontal line (see column 7, lines 3-15).

As per claim 3, the Random Roam mode described by Tobey allows a user move a cursor in incremental steps, wherein as described above, these incremental steps are defined by a mesh

of horizontal and vertical lines. Thus, as apposed to a "Tabbing mode" which causes the cursor to jump from one hotspot to the next, this Random Roam mode allows the cursor to be displayed at positions, i.e. nodes, between hotspots (see column 7, lines 3-25). Tobey therefore teaches that at least one of the nodes is disposed outside of the hotspots, i.e. regions.

As per claim 4, Tobey discloses an alternative method for moving the cursor in incremental step movements about the display (see column 6, lines 5-31). Regarding this alternative method, Tobey states, "...in one screen mode the computer 16 *could* move the cursor a fixed number of pixels each time the user depresses the function control button 14" (emphasis added) (see column 6, lines 32-42). Because of the use of the word "could," Tobey suggests that the cursor need not move a fixed number of pixels each time the user inputs a directional command to move the cursor. As both the above-described Random Roam mode and this alternative mode are used to move the cursor about the display via incremental step movements, it is understood that this same idea applies to the above-described Random Roam mode. As described above, the distance between cursor movements designates the spacing between adjacent lines in the mesh of nodes indicating cursor positions. Consequently, since the cursor need not move a fixed number of pixels, it is understood that the lines making up the mesh may not be evenly spaced.

Regarding claim 5, the functional display regions, i.e. hotspots, disclosed by Tobey are associated with a region displayed on the display. For example in figure 3A, reference numbers 40, 42, 44, 46, and 48 each designate a hotspot. As shown in figure 3A, each of these hotspots are associated with a rectangular-shaped region displayed on the display.

With respect to claim 6, Tobey discloses that the "computer-controlled display" is used to display the above-described hotspots and cursor (see column 3, lines 27-59). Consequently, it is understood that the device disclosed by Tobey has a display device coupled thereto so as to provide a graphical display.

Regarding claim 10, the above-described Random Roam mode of Tobey is implemented with a computer (see column 3, lines 27-55). It is interpreted that this computer is a personal computer (see column 1, lines 13-45).

Concerning claims 11-14, it is interpreted that the above-described Random Roam mode may be employed on a Windows operating system (see column 1, lines 25-41). As is known in the art, one of the characteristics of the Windows operating system is that multiple windows may be displayed to the user, wherein such windows may overlie and underlie each other. Moreover, it is understood that the above-described mesh of intersecting horizontal and vertical lines, which defines node positions, is associated with a window. Consequently, it is understood that with the above-described Random Roam mode employed on a Windows operating system, a mesh of nodes would be associated with each window displayed on the display. In other words, if a second window is displayed, additional nodes would be arranged in a second mesh at the intersections of a third set of spaced lines extending in a horizontal direction and a fourth set of spaced lines extending in a vertical direction, whereby this second mesh is associated with the second window. As is known in the art regarding the Windows operating system, the cursor may be navigated between this first and second window, and consequently, may be navigated between this first and second mesh. As the first and second window may overlie or underlie each other, it is understood that the meshes associated with these windows similarly overlie or

underlie each other. Moreover, it is understood that the horizontal lines of the two meshes extend in the same direction, and the vertical lines of the two meshes extend in the same direction.

In reference to claim 17, Tobey teaches a method of navigating a cursor from one mesh to another in a device, wherein as shown above, this device is of the type configured to generate signals for a graphical display in which a cursor can be navigated between hotspots such that they are individually selected when the cursor is moved thereto, with a plurality of spaced nodes configured so that the cursor makes a step movement from one node to another thereof in response to user actuation, the nodes being arranged in a mesh at the intersections of a first set of spaced lines extending in a horizontal direction and a second set of spaced lines extending in a vertical direction, the hotspots being irregularly disposed in the display and at least one of the nodes being disposed at each of the hotspots respectively, and also, the device having additional nodes arranged on another mesh at the intersections of a third set of spaced lines extending in a horizontal direction and a fourth set of spaced lines extending in a vertical direction, the cursor being navigable between the meshes. In particular, each of these meshes are associated with a window, as is described above. It is interpreted that a user may navigate the cursor from one window to another, and thus navigate the cursor from one mesh to the another, by navigating the focus to a node on one mesh adjacent to another mesh and inputting into the hand-held controller a device movement command corresponding movement off of the mesh in the direction of the other mesh.

In reference to claim 15, Tobey discloses that a user may scroll a file vertically by moving the cursor onto the up or down arrows of a scroll bar using the above-described Random

Roam mode (see column 7, lines 49-65). Consequently, it is interpreted that a node exits on such up and down arrows for the cursor to be positioned at. Moreover, these up and down arrows are each considered a "handle," like that recited in the present application. Tobey therefore teaches a node disposed on a handle of a scroll bar so as to allow scrolling of a page and permit selection of functional display regions not presently displayed.

In reference to claim 18, Tobey teaches a method of navigating a focus between spaced hotspots in a device, wherein as shown above, this device is of the type configured to generate signals for a graphical display in which a cursor can be navigated between hotspots such that they are individually selected when the cursor is moved thereto, with a plurality of spaced nodes configured so that the cursor makes a step movement from one node to another thereof in response to user actuation, the nodes being arranged in a mesh at the intersections of a first set of spaced lines extending in a horizontal direction and a second set of spaced lines extending in a vertical directions, the hotspots being irregularly disposed in the display and at least one of the nodes being disposed at each of the hotspots respectively, the device further having a node disposed on a handle of a scroll bar so as to allow scrolling of a page and permit selection of functional display regions not presently displayed. Since the cursor is positioned on this handle by moving the cursor in step-wise fashion from node to node towards the scroll bar, as is shown above, it is understood that Tobey teaches navigating the cursor to a node on the mesh adjacent to the node disposed on the handle of the scroll bar and inputting into the user operable navigation device a movement command corresponding to movement off of the mesh and onto the node disposed on the handle of the scroll bar.

In regard to claims 23-26, Tobey teaches a method of navigating a cursor between spaced hotspots in a device, wherein as shown above in the rejection for claim 1, a plurality of spaced nodes are configured so that the cursor makes a step movement from one node to another thereof in response to user actuation, the nodes being arranged in a mesh at the intersections of a first set of spaced lines extending in a horizontal direction and a second set of spaced lines extending in a vertical direction, the hotspots being irregularly disposed in the display and at least one of the nodes being disposed at each of the hotspots respectively. Moreover, Tobey discloses that this method may be implemented in an application program (see column 3, lines 56-64). A computer implementing such an application program is considered a computer program product like that recited in claim 24. Additionally, and in regard to claim 25, such an application program itself is considered a computer program like that expressed in the claim. As this application program is executed on a computer, it is understood that is must be embodied on some sort of computer-readable medium.

Concerning claims 28 and 33, Tobey teaches a method, of navigating a cursor between irregularly spaced functional display regions, referred to as "hotspots." Similarly, Tobey also teaches a method of operating a display generating device configured to provide a graphical display in which a cursor can be navigated between hotspots. For example, Tobey discloses supplying an individual directional input via a four direction control button on a hand-held controller (see column 2, lines 59-65). In response to this directional input, Tobey further discloses that a cursor is moved from a first node to a second node in a predefined discrete step along a direction corresponding to the directional input, the second node being disposed between the irregularly spaced hotspots, as is shown above particularly in the rejection for claim 1. It is

understood such user input is repeated in order to move the cursor about the display and focus on a hotspot (see column 7, lines 3-25). Thus Tobey further teaches supplying another directional input and moving the focus to a third node disposed within one of the irregularly spaced hotspots so as to enable selection of the hotspot.

As per claims 29 and 34, Tobey teaches arranging the nodes in a mesh, or in other words, at the intersections of a first set of spaced lines extending in a horizontal direction and a second set of spaced lines extending in a vertical direction, as is shown above in the rejection for claim 1.

Regarding claims 30 and 35, the above-described Random Roam mode disclosed by Tobey is used to move a cursor from hotspot to hotspot via incremental movements. As described above, the position of the cursor after each incremental movement is considered a node. For every directional input by the user, there is an inherent determination as to where to position the cursor, or in other words, as to which node to place the cursor. For example, for a user to move a cursor to a particular hotspot, the user intrinsically determines after each incremental movement whether the cursor is positioned on the particular hotspot, i.e. whether the node defining the location of the cursor is disposed within the particular hotspot. If not, the user continues input directional inputs in order to move the cursor to the hotspot. As shown above in the rejection for claim 5, each such hotspot is associated with a segment of the graphical display. Therefore, Tobey teaches determining whether a node is disposed within an irregularly spaced functional display region, i.e. a hotspot, and equivalently, whether the node is located within a predefined segment of the display. It is understood that if the cursor is not in fact located in the hotspot, it would be positioned in one of the nodes outside of the hotspot, which as described

above, define the discrete cursor steps. Thus Tobey further teaches that in the absence of a node disposed within a hotspot, a node is provided at a predefined discrete step along a direction corresponding to the user's directional input and the cursor is moved to that node.

With respect to claims 31 and 32, the above-described Random Roam mode disclosed by Tobey is used to move a cursor from hotspot to hotspot via incremental movements. As described above, the position of the cursor after each incremental movement is considered a node. Since the cursor may moved off of a hotspot, it is understood that in such a case, a user moves a cursor from a first node, wherein this first node is within an irregularly spaced hotspot, i.e. functional display region. Similarly, it is understood that the cursor may be moved onto a hotspot. In such a case, the cursor to makes a step movement from a node on one of the hotspots to a first node in response to an individual directional input from the user, wherein this first node is not within one of the hotspots.

In regard to claim 36, Tobey teaches a method comprising: receiving an individual directional input; moving a cursor from a first node to a second node in a predefined discrete step along a direction corresponding to the directional input, the second node being disposed between the irregularly spaced hotspots; receiving another directional input; and moving the cursor to a third node disposed within one of the irregularly space hotspots so as to enable selection of the hotspot, as is shown above in the rejection for claims 28 and 33. It is understood that this method is implemented with a computer coupled to a hand-held controller, which is used to receive directional inputs (see column 2, line 57 – column 3, line 7). Moreover, it is understood that the computer includes a CPU which is ultimately responsible to presenting the graphical display, and more specifically the movement of the cursor on the display (see column 3, lines 27-

41). This computer implementing the above-described method of Tobey is thus considered a "display generating device" like that recited in claim 36, wherein the display generating device is configured to generate signals for a graphical display in which a cursor can be navigated between irregularly spaced hotspots on a display device, the device comprising: a first input device, namely the hand-held controller, which is for supplying an individual directional input; a first controller, namely the CPU, which is for moving the cursor from a first node to a second node in a predefined discrete step along a direction corresponding to the directional input, the second node being disposed between the irregularly spaced hotspots; a second input, namely the hand-held controller, which is for supplying another directional input; and another controller, namely the CPU, which is for moving the cursor to a third node disposed within one of said irregularly space hotspots so as to enable selection of the hotspot.

In regard to claims 46-48, Tobey presents a device configured to generate signals for a graphical display, wherein as described in the previous paragraph, a cursor can be navigated between irregularly spaced hotspots on a display device, the device comprising: a first input device for supplying an individual directional input; a first controller for moving the cursor from a first node to a second node in a predefined discrete step along a direction corresponding to the directional input, the second node being disposed between the irregularly spaced hotspots; a second input for supplying another directional input; and another controller for moving the cursor to a third node disposed within one of said irregularly space hotspots so as to enable selection of the hotspot. More specifically, Tobey discloses that this device may be implemented as a computer (see column 3, lines 27-55). Such a computer is considered a computer program product like that recited in claim 46. In addition, Tobey discloses that such means for moving a

cursor about the display may be employed using an application program (see column 3, lines 56-64). Consequently, and specifically regarding claim 47, such an application program itself is considered a computer program like that expressed in the claim. As this application program is executed on a computer, it is understood that is must be embodied on some sort of computer-readable medium.

Concerning claim 37, the above-described first and second controllers are implemented via a single CPU, as is shown above. Consequently, the first and second controllers are considered unitary.

As per claim 38, the above-described first input for supplying the individual directional input is realized by Tobey via a hand-held controller. Specifically, this hand-held controller includes a four direction control button for receiving the directional input (see column 2, lines 57-65). Thus the first input for supplying the individual directional input comprises a user operable navigation control, specifically, this four direction control button.

In regard to claim 39, the above-described second means for supplying another directional input is realized by Tobey via a hand-held controller comprising a user operable navigation control, specifically a four direction control button, as is described above in the previous paragraph. Thus, since the hand-held controller comprises the four direction control button, the hand-held controller and the four direction control button are considered unitary.

Regarding claim 40, the functional display regions, i.e. hotspots, disclosed by Tobey are associated with a region displayed on the display. For example in figure 3A, reference numbers 40, 42, 44, 46, and 48 each designate a hotspot. As shown in figure 3A, each of these hotspots are associated with a rectangular-shaped region displayed on the display.

In regard to claim 41, the above-described computer disclosed by Tobey is used to move a cursor from hotspot to hotspot via incremental movements. As described above, the position of the cursor after each incremental movement is considered a node. Since the cursor may moved off of a hotspot, it is understood that in such a case, a user moves a cursor from a first node, wherein this first node is within an irregularly spaced hotspot, i.e. functional display region.

With respect to claim 42, Tobey discloses that the "computer-controlled display" is used to display the above-described hotspots and cursor (see column 3, lines 27-59). Consequently, it is understood that the device disclosed by Tobey has a display device coupled thereto so as to provide a graphical display.

Regarding claim 10, the above-described device of Tobey is implemented as a computer (see column 3, lines 27-55). It is interpreted that this computer is a personal computer (see column 1, lines 13-45).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 7-9, 27, 43-44, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tobey, which is described above, and also over U.S. Patent No. 6,034,689, which is attributed to White et al. (and hereafter referred to as "White"). As described above, Tobey

presents a device and computer program whereby a hand-held controller is used to position a cursor on a display. More specifically, it is interpreted that this device is associated with a personal computer (for example, see column 1, lines 13-44). Consequently, Tobey does not explicitly disclose that the device is included in a multimedia network terminal, a set top box for a television, or a mobile station, as is expressed in claims 7, 8, 9, 43, and 44. Moreover, Tobey does not disclose that the computer program has been down-loaded from a server and stored in a store associated with the computer, as is disclosed in claim 49.

Like Tobey, White discloses a method and system whereby a user users a hand-held controller to move a focus about a display. More specifically, White presents a system by which a television is used to display web pages to a user, wherein the user uses a remote control to select hyperlinks in the web pages (see column 2, lines 52-64). Regarding the claimed invention, White discloses that this television comprises a "WebTV box" to generate and display the web pages to the user (see column 4, lines 45-54). This WebTV box is considered a set top box like that recited in claim 8. Because it is understood that the web pages provided by the television comprise multimedia network information, as is known in the art, the system disclosed by White is also considered a multimedia network terminal, like that recited in each of claims 7 and 43. Lastly, because it is understood that this television is moveable, the system of White is also considered a mobile station like that expressed in each of claims 9 and 44.

It would have been obvious to one of ordinary skill in the art, having the teachings of Tobey and White before him at the time the invention was made, to modify the method taught by Tobey such that it may also be implemented with a television to move a cursor about a web page displayed by the television, as is done by White. It would have been advantageous to one of

ordinary skill to utilize such a combination because, as is demonstrated by White, a television is a device which may require input to move a focus about the display, similarly to that done on a computer. Tobey provides an effective method for moving such a focus. Lastly, it is interpreted that with such a combination, the computer program responsible for positioning the cursor on the web page is associated with the web page. In other words, it is interpreted that along with the web page, this computer program is down-loaded from a server and stored in a store associated with a computer coupled to the television.

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the above-described combination of Tobey and White, and also over, U.S. Patent No. 6,317,885, which is attributed to Fries. As shown above, the combination of Tobey and White teaches a method whereby a user uses a remote control to move a cursor in discrete steps about Internet web page displayed by a television screen. Tobey particularly teaches that these discrete positions of the cursor are defined by a mesh of interesting horizontal and vertical lines, as is described above in the rejection claim 1. As shown above, the distance between these vertical and horizontal lines, and consequently the distance between the nodes of possible cursor positions located at the intersections of these vertical and horizontal lines, is denoted by the distance the cursor moves in response to an input provided by the user. In other words, the mesh disclosed by Tobey is implicitly configured; it is configured at run time given a default cursor position and the distance the cursor moves in response to an input from the user. Consequently the combination of Tobey and White does not teach explicitly configuring the mesh as is done in the presently claimed invention. In other words, the combination of Tobey and White does not

teach determining minimum and maximum co-ordinate values along a predefined direction for a first functional display region, determining minimum and maximum co-ordinate values along a predetermined direction for a second functional display region, obtaining an intermediate co-ordinate value in dependence on these values and providing a mesh line defined by this median co-ordinate value.

Like the above-described combination of Tobey and White, Fries presents a method whereby a television presents Internet web pages to a user and the user uses a remote control to move a focus about the television and select various hyperlinks (see column 2, lines 19-37 and column 6, lines 35-55). Regarding the claimed invention, Fried expresses that such web pages undergo a conversion process whereby the discrete locations of where the cursor is positioned in response to a user input is predefined (see column 20, lines 23-31). In other words, a mesh of possible cursor positions is explicitly configured prior to being displayed.

It would have been obvious to one of ordinary skill in the art, having the teachings of Tobey, White, and Fries before him at the time the invention was made, to modify the method taught by Tobey and White such that Internet web pages displayed on the television are analyzed prior to being displayed in order to determine the plurality of possible cursor positions existing on the web page. It would have been advantageous to one of ordinary skill to utilize such a combination because, as is disclosed by Tobey, this reduces the amount of processing that needs to be performed at the television (see column 20, lines 23-31). It is interpreted that with the method of Tobey and White, the cursor may be positioned on any hyperlink in a given web page. Moreover, for aesthetic reasons and to aid user comprehension, it is understood that this cursor is placed at the center of each hyperlink. It is therefore understood that when analyzing a given

web page to create a mesh of possible cursor positions, as is done by the above-described combination of Tobey, White, and Fries, it is required to create a node at the center coordinate of each hyperlink in the web page. This is done by determining the minimum and maximum values along the horizontal direction for each hyperlink and the minimum and maximum values along the vertical direction for each hyperlink, and from these values, obtaining the center coordinate using of the hyperlink. More specifically, this is done by taking the mean values of the minimum and maximum coordinates for each hyperlink. These nodes at the center coordinate of each hyperlink thus define a horizontal and vertical mesh line through the node. For these reasons, the above-described combination of Tobey, White, and Fries teaches: determining minimum and maximum co-ordinate values along a predefined direction, specifically a horizontal direction, for a first functional display region, specifically a hyperlink; determining minimum and maximum co-ordinate values along a predetermined direction, specifically a vertical direction, for a second functional display region; obtaining an intermediate co-ordinate value in dependence on these values and providing a mesh line defined by this median co-ordinate value. Moreover, it is understood that the above described combination thus teaches determining a mean value of the maximum and minimum coordinate values for the hyperlink.

Allowable Subject Matter

Claims 21 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is an examiner's statement of reasons for allowance:

The prior art teaches a method of configuring a mesh, the method comprising determining minimum and maximum values along a predetermined direction for a first functional display region, determining minimum and maximum values along a predetermined coordinate direction for a second functional display region, obtaining an intermediate coordinate value in dependence on these values and providing a mesh line defined by this median coordinate value. However the prior art does not explicitly teach that obtaining this intermediate coordinate value comprises testing whether the maximum coordinate value of the first region is greater than the minimum coordinate value of the second region and determining a mean value of the maximum coordinate value for the first region and the minimum coordinate value of the second region, as is expressed in claim 21. Similarly, the prior art does not teach that obtaining this intermediate value comprises testing whether the maximum coordinate value of the first region is greater than the minimum coordinate value of the second region, testing whether the maximum coordinate value for the first region is greater than the maximum coordinate value for the second region, and determining a mean value of the maximum and minimum coordinate values for the second region, as is recited in claim 22.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. The applicant is required under 37 C.F.R. §1.111(C) to consider these references fully when responding to this action. The Wakisaka et al. U.S. Patent cited therein presents a method for generating a mesh of horizontal and vertical lines on a television display. This mesh defines a programming schedule and a user may move a focus about this schedule via a remote control. The Becker et al. U.S. Patent therein discloses a method whereby a user may define and store a position which is used to cause the cursor to jump to this position. Lastly the Mantha U.S. Patent cited therein presents a method for moving a cursor about a television display via a remote control whereby the cursor specifically jumps from graphical object to graphical object on the display.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (703) 305-7694. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7238 for regular communications and (703) 746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

btb
July 11, 2003

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100